

1 State's potential total annual liability for grants entered into in that calendar year to exceed this
2 amount.

3 (d) Measuring Employment. – For the purposes of subdivision (a)(1) of this section and
4 G.S. 143B-437.51(5), 143B-437.51(7), and 143B-437.57(a)(11), the Committee may designate
5 that the increase or maintenance of employment is measured at the level of a division or
6 another operating unit of a business, rather than at the business level, if both of the following
7 conditions are met:

8 (1) The Committee makes an explicit finding that the designation is necessary to
9 secure the project in this State.

10 (2) The agreement contains terms to ensure that the business does not create
11 eligible positions by transferring or shifting to the project existing positions
12 from another project of the business or a related member of the business."

13 **SECTION 5.** G.S. 143B-437.53(d) is re-enacted and reads as rewritten:

14 "(d) ~~Wage Standard. Employment Requirements.~~ – In order for a business to be
15 eligible for a grant under this Part, the average wage of all jobs at the location with respect to
16 which a grant is made must ~~meet the wage standard set out in G.S. 105-129.4(b). If a project is~~
17 ~~to be located at more than one location, the average wage of all jobs at a location must meet the~~
18 ~~wage standard set out in G.S. 105-129.4(b) in order for that location to be included in the~~
19 ~~agreement.~~ pay an average weekly wage that is at least equal to the lesser of one hundred ten
20 percent (110%) of the average wage for all insured private employers in the State and ninety
21 percent (90%) of the average wage for all insured private employers in the county. The
22 Department of Commerce must annually publish the wage standard. A business locating in an
23 economically disadvantaged area is not required to satisfy this wage standard.

24 For a business to be eligible for a grant under this Part, the business must agree to give the
25 Employment Security Commission information on the positions it plans to create, as defined by
26 the agreement. The business must agree to interview candidates referred to it by the
27 Commission before seeking other possible candidates for the positions. The business is not
28 under any obligation to hire the candidates referred to it by the Commission."

29 **SECTION 6.** G.S. 143B-437.54(a) reads as rewritten:

30 "(a) Membership. – The Economic Investment Committee is established. The
31 Committee consists of the following members:

32 (1) The Secretary of Commerce.

33 (2) The Secretary of Revenue.

34 (3) The Director of the Office of State Budget and Management.

35 (3a) The Chair of the Economic Development Board.

36 (4) One member appointed by the General Assembly upon the recommendation
37 of the Speaker of the House of Representatives.

38 (5) One member appointed by the General Assembly upon the recommendation
39 of the President Pro Tempore of the Senate.

40 The members of the Committee appointed by the General Assembly may not be members
41 of the General Assembly. The members of the Committee appointed by the General Assembly
42 serve two-year terms that begin upon appointment."

43 **SECTION 7.** G.S. 143B-437.62 reads as rewritten:

44 "**§ 143B-437.62. Expiration.**

45 The authority of the Committee to enter into new agreements expires ~~January 1,~~
46 2010.January 1, 2016."